

Message Text

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ORIGIN OES-07

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FM SECSTATE WASHDC
TO AMEMBASSY SANTO DOMINGO
INFO AMEMBASSY LONDON

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E.O. 11652: N/A

TAGS: OCLR, EFIS, TGEN, PLOS, DR

SUBJECT: OREGON II RESEARCH - SILVER BANK

REF: A. SANTO DOMINGO 2005; B. STATE 026470;
C. STATE 042826; D. 049778

1. DEPARTMENT HAS PURSUED MATTER CONCERNING OREGON II,
AS REQUESTED REFTTEL (A), WITH THE NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION (NOAA). WHILE THE OREGON II
WAS CONDUCTING ITS RESEARCH PROGRAM OVER SILVER BANK, FROM
17-22 APRIL, IT CLAIMS TO HAVE SEEN ONLY TWO OTHER VESSELS,
ONE A FISHING BOAT AND ANOTHER A SALVAGE VESSEL. THE
OREGON II'S CAPTAIN AND CHIEF SCIENTIST MAINTAIN THAT THEY
WERE NOT ASKED, OR SIGNALLED BY ANY MEANS, TO CEASE THEIR
ACTIVITIES OR LEAVE THE AREA.

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2. FYI: SEVERAL MONTHS AGO, NOAA DISCUSSED WITH THE
DEPT. ITS INTENTION TO CONDUCT RESEARCH OVER SILVER AND
NAVIDAD BANKS. THE DISCUSSIONS WERE IN GENERAL TERMS.
THE DEPT. NOTED THAT THE U.S. VIEWED THE BANKS AS HIGH
SEAS, AND THAT NOAA COULD CONDUCT THE RESEARCH ON THAT
BASIS. DEPT. ALSO NOTED THAT DOMINICAN REPUBLIC AND

TURKS AND CAICOS CLAIMED THE AREA. HOWEVER, DEPT. OFFICIALS INVOLVED REGARDED THIS AS INFORMAL DISCUSSION,

AND NOT AS A GO AHEAD FOR ANY PARTICULAR CRUISE. THE DISCUSSION WAS PRIOR TO DETERMINATION OF OUR FCMA POLICY REGARDING FISHERIES RESEARCH (SEE REFTELS C, AND D WHICH IS BEING REPEATED); ADDITIONALLY, IT WAS WELL BEFORE THE ESTABLISHMENT OF THE GODR 200 MILE ZONE. NOTWITHSTANDING THE ABOVE AND WITHOUT KNOWLEDGE OF DEPT, NOAA DIRECTED THE OREGON II TO OPERATE OVER SILVER BANK WITH INSTRUCTIONS THAT IT SHOULD LEAVE AT ONCE IF SO REQUESTED.

3. THE OREGON II CONDUCTED A FISHERIES RESEARCH STUDY INVOLVING CATCHING SNAPPER, GROUPER AND TUNA AS PART OF AN ABUNDANCE AND SPECIES STUDY REQUESTED BY THE FCMA CARIBBEAN FISHERIES COUNCIL FOR THE GOVERNMENT OF PUERTO RICO. ABOUT 400 LBS OF FISH WERE CAUGHT WITH ELECTRIC REELS AND POLES, AND A FEW PLANKTON TOWS WERE MADE. THE USE OF ELECTRIC REELS TO CATCH SNAPPER AND GROUPER WOULD CONSTITUTE USING COMMERCIAL GEAR UNDER THE USG POLICY GUIDELINES AND WOULD REQUIRE THE OREGON II TO SEEK PERMISSION OF THE COASTAL STATE UNLESS DONE IN FULL COOPERATION WITH THE COASTAL STATE. OF COURSE, A PROBLEM IN THIS AREA IS THAT TWO COASTAL STATES CLAIM JURISDICTION. FUTURE RESEARCH CRUISES IN THIS AREA WILL HAVE TO BE CONSIDERED IN LIGHT OF THE DISPUTE BETWEEN THE DOMINICAN REPUBLIC AND TURKS AND CAICOS. THEREFORE, R/V OPERATORS HAVE BEEN ASKED TO CONSULT WITH THE DEPARTMENT BEFORE CONDUCTING ANY RESEARCH IN THE AREA OF THE BANKS (SILVER, LIMITED OFFICIAL USE

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NAVIDAD) (MOUCHOIR'S NOT INCLUDED IN GODR CLAIM). END FYI.

4. IN THE CIRCUMSTANCES, DEPT. CONSIDERS VERY LOW KEY RESPONSE TO BE IN ORDER, ALONG FOLLOWING LINES: (A) CONFIRM VESSEL WAS CONDUCTING FISHERIES RESEARCH IN AREA. (B) EXPLAIN THAT NEITHER DEPT. NOR EMBASSY WAS AWARE OF THIS CRUISE. (C) EXPLAIN THAT DEPT. HAS TAKEN STEPS TO OVERCOME SUCH COMMUNICATIONS PROBLEMS IN FUTURE. (D) APOLOGIZE FOR TIME TAKEN TO PRODUCE RESPONSE, WHICH WAS BECAUSE WE HAD TO START FROM BEGINNING.

5. ONLY IF PRESSED ON ALLEGED LACK OF RESPONSE BY OREGON II TO LEAVE SHOULD YOU DISCUSS THIS. IN SUCH CASE YOU SHOULD STATE WE ARE UNABLE TO VERIFY RECEIPT OF ANY SUCH MESSAGE BY VESSEL AND SEEK MORE PRECISE INFORMATION ON HOW IT WAS TRANSMITTED SO THAT R/VS MAY BE INFORMED FOR FUTURE. YOU SHOULD NOT, HOWEVER, INDICATE ANY FURTHER RESPONSE WILL BE FORTHCOMING ON THIS POINT. VANCE

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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